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MARSH, FISCHMANN & BREYFOGLE LLP 3151 SOUTH VAUGHN WAY SUITE 411 AURORA, CO 80014			EXAMINER PHILPOTT, JUSTIN M	
			ART UNIT 2665	PAPER NUMBER

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. K 09/843,082	Applicant(s) NABKEL ET AL.	
	Examiner Justin M. Philpott	Art Unit 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 19 have been considered but are moot in view of the new ground(s) of rejection, wherein the newly cited art teaches the newly added limitations to the amended claims 1 and 19.

Drawings

2. The drawings filed August 1, 2005 are objected to because steps 409 and 408 in FIG. 4a are incorrectly labeled according to applicant's amended specification (see page 3 of the amendment filed August 1, 2005); the numbers 409 and 408 should be reversed, as 408 and 409, respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

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the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 1-25 are objected to because of the following informalities: “relaying and screening” (claim 1, line 8) should be changed to “relaying and screening means” in order to maintain consistency with the remainder of the system claim; claims 2-24 are objected to for their dependence upon the objected claim 1; and “entities wherein” (claim 25, line 6) should be changed to “entities_ wherein”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 10 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, claim 10 recites a system with an element (i.e., message broker) configured to provide “discovery” and “transparency” which perform particular steps. Both of these are indefinite terms in the system claim since “discovery” and “transparency” to perform steps are not tangible elements. Furthermore, claim 10 recites the system involves obtaining “one or more methods”, and it appears applicant is attempting to claim both a system and a method in the same claim, which results in an indefinite claim. Accordingly, it is unclear what applicant is

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attempting to claim, since the claim takes the form of a system claim but the above-mentioned portions refer to abstract steps of a method. Applicant may overcome this rejection by amending the claim to only recite tangible elements in the system claim, and by removing reference to methods in the system claim.

Similarly, claim 34 recites a method comprising steps of “providing discovery” and “providing transparency”. According to the claim language it appears that applicant is claiming a method which provides intangible elements of “discovery” and “transparency”. Accordingly, it is unclear what applicant is attempting to claim. Applicant may overcome this rejection by amending the claim, e.g., as follows: “~~providing discovery which allows~~ allowing” and “~~providing transparency which enables~~ enabling”.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1- 3, 5-11, 25-27 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,633,899 to Coward in view of U.S. Patent No. 6,915,345 to Tummala et al.

Regarding claim 1, Coward teaches a system for providing exchange of messages and associated data across a plurality of communication network system entities for at least one communications network, comprising: at least one distributed message broker (e.g., broker 106,

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see FIGS. 1A and 1B and col. 3, line 56 – col. 4, line 10) connectable to the plurality of communication network system entities (e.g., configuration tool 102; and server 104) of at least one communication network (e.g., network comprising elements accessing a server, see col. 3, lines 25-55; see also col. 10, lines 30-47 regarding implementation in various other networks), wherein the at least one message broker (e.g., broker 106) is configured to provide message processing between a plurality of system entities (e.g., facilitating communications between the entities, see col. 3, line 56 – col. 4, line 10), wherein message processing includes at least one of: relaying (e.g., via updates, see col. 4, lines 11-45) and screening (e.g., determining if a user is registered as a ‘listener’ before providing updates, see col. 4, lines 45-50) based on prioritization rules of at least one of customer classification (e.g., user classified as a ‘listener’, see col. 4, lines 45-65), associated service classification (e.g., updates for time sensitive events, see col. 4, lines 51-65), and system entity classification (e.g., according to entity access list, see col. 4, line 66 – col. 5, line 9) applied to a message classification of one or more messages communicated over the at least one communications network between the plurality of system entities (e.g., see col. 4, line 11 – col. 6, line 44).

However, Coward may not specifically disclose inter-message distributions are performed by the broker across a plurality of communications domains.

Tummala, like Coward, also teaches a method for providing exchange of messages using a message broker (e.g., see abstract). Further, Tummala teaches a message broker which provides for inter-message distributions across a plurality of communications domains for a plurality of communications networks (e.g., see col. 6, lines 14-58 regarding broker AAA servers for communications between various administrative domains or networks). Additionally, such

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teachings of Tummala provide for accommodating a large number of providers, for increased service, while both avoiding costly overhead and providing improved security (e.g., see col. 5, line 32 – col. 6, line 58). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings in the message broker method of Tummala to the message broker method of Coward in order to provide for accommodating a large number of providers, for increased service, while both avoiding costly overhead and providing improved security.

Regarding claim 25, Coward teaches a method for providing exchange of messages and associated data across a plurality of communication network system entities for at least one communications network, comprising the steps of: configuring at least one message broker (e.g., broker 106, see FIGS. 1A and 1B and col. 3, line 56 – col. 4, line 10) to establish connections with a plurality of communication network system entities (e.g., configuration tool 102; and server 104) of at least one communications networks (e.g., network comprising elements accessing a server, see col. 3, lines 25-55; see also col. 10, lines 30-47 regarding implementation in various other networks); and receiving and processing one or more messages from the system entities wherein the processing includes at least one of: relaying (e.g., via updates, see col. 4, lines 11-45) and screening (e.g., determining if a user is registered as a 'listener' before providing updates, see col. 4, lines 45-50) based on prioritization rules of at least one of customer classification (e.g., user classified as a 'listener', see col. 4, lines 45-65), associated service classification (e.g., updates for time sensitive events, see col. 4, lines 51-65), and system entity classification (e.g., according to entity access list, see col. 4, line 66 – col. 5, line 9) applied to a message classification of one or more messages communicated over the at least one

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communications network between the plurality of system entities (e.g., see col. 4, line 11 – col. 6, line 44).

However, as discussed above regarding claim 1, Coward may not specifically disclose inter-message distributions are performed by the broker across a plurality of communications domains. Tummala, like Coward, also teaches a method for providing exchange of messages using a message broker (e.g., see abstract). Further, Tummala teaches a message broker which provides for inter-message distributions across a plurality of communications domains for a plurality of communications networks (e.g., see col. 6, lines 14-58 regarding broker AAA servers for communications between various administrative domains or networks). Additionally, such teachings of Tummala provide for accommodating a large number of providers, for increased service, while both avoiding costly overhead and providing improved security (e.g., see col. 5, line 32 – col. 6, line 58). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings in the message broker method of Tummala to the message broker method of Coward in order to provide for accommodating a large number of providers, for increased service, while both avoiding costly overhead and providing improved security.

Regarding claims 2 and 26, Coward teaches the plurality of system entities include a service management entity (e.g., server 104).

Regarding claims 3 and 27, Coward teaches message classification comprises message type (e.g., see col. 4, line 42 – col. 5, line 9 regarding time sensitive events and state of the installation process).

Regarding claims 5 and 29, Coward teaches the message broker (e.g., broker 106) is configured to employ message delivery parameters (e.g., errors, strings, status messages, etc., see col. 4, line 11 – col. 6, line 7, line 37) which affect the manner of delivery (e.g., whether message is broadcast to all users or only transmitted to users on the access list) for the one or more messages of a message classification between identified origination-destination endpoints (e.g., endpoints 102, 104, 116, 120, see FIG. 1B).

Regarding claims 6 and 30, Coward teaches the message delivery parameters include integrity of message delivery (e.g., updates including errors, see col. 5, lines 40-43).

Regarding claims 7, 8, 31 and 32, Coward teaches the message broker (e.g., broker 106) is configured to perform the message relay and screening prioritization of the one or more messages of a message classification based on static message operation rules (e.g., access list of the broker, see col. 4, line 42 – col. 5, line 39) comprising relationship definitions of associated message endpoints (e.g., comprising permitted or denied access to the state of the broker by the users 116, 120).

Regarding claims 9 and 33, Coward teaches the message broker (e.g., broker 106) is configured to perform dynamic prioritization for message relay and screening of the one or more messages of a message classification through communication with the system entities from which the one or more messages is generated or received (e.g., see col. 6, lines 25-44 regarding storing updated information on a periodic basis).

Regarding claims 10 and 34, Coward teaches the message broker (e.g., message broker 106) is further configured to provide discovery which allows a serving system entity (e.g., server 104) to advertise capabilities (e.g., via status and error messaging, see col. 5, line 40 – col. 6, line

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24) and a client system entity (e.g., user 116, 120) to one or more methods associated with the serving system entity (e.g., server); and transparency which enables both the serving (e.g., 104) and client (e.g., 116, 120) system entities to communicate without requiring knowledge of an addressable reference for every one of the system entities in the plurality of communications networks (e.g., wherein broadcasting is performed, see col. 7, line 66 – col. 8, line 15).

Regarding claims 11 and 35, Coward teaches the message broker (e.g., broker 106) is configured to operate in a plurality of message distribution modes which include at least one of multicast (e.g., see col. 7, lines 1-13 regarding particular state changes only transmitted to designated users) and broadcast (e.g., see col. 8, lines 12-15 and col. 9, lines 3-10 regarding broadcasting messages).

8. Claims 4, 12-16, 19-24, 28, 36-40 and 43-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coward in view of Tummala, further in view of U.S Patent Application Publication No. 2002/0010776 A1 by Lerner.

Regarding claims 4 and 28, Coward in view of Tummala teaches the system and method discussed above regarding claims 1 and 25, however, may not specifically disclose relaying the one or more messages to an appropriate destination is based on at least one-high level name incorporated into the one or more messages. Lerner also teaches a message broker (e.g., message broker 390, see paragraphs 0041-0067 and FIG. 3) and specifically, teaches relaying one or more messages to an appropriate destination is based on at least one high-level name incorporated into the one or more messages (e.g., see paragraph 0034 regarding high-level functions of the data included in the messages, and paragraphs 0035-0037 which indicate

respective location names are included in the messages). The teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 12 and 36, Coward in view of Tummala teaches the system and method discussed above regarding claims 1 and 25, however, may not specifically disclose the message broker is configured to operate in a services layer within the plurality of communications networks so as to relay or screen messages with at least one system entity resident in a service layer. Lerner teaches the message broker is configured to operate in a services layer within the plurality of communications networks so as to relay or screen messages with at least one system entity resident in a service layer (e.g., services layer 130, see FIG. 1 and paragraphs 0026-0032). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 13 and 37, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 12 and 36. Further, Lerner teaches the

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message broker (e.g., message broker 390) is configured to communicate with a service logic entity within the service layer (e.g., one of authentication entity, registration entity, profile data store entity, shared application data store entity, see FIG. 1 and paragraphs 0026-0032) or with one or more message brokers within the service layer (e.g., see paragraph 0075 regarding a plurality of message brokers may be implemented). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 14 and 38, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 12 and 36. Further, Lerner teaches the message broker (e.g., message broker 390) is configured to communicate with one or more message brokers within the service layer (e.g., see paragraph 0075 regarding a plurality of message brokers may be implemented). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 15 and 39, Coward in view of Tummala teaches the system and method discussed above regarding claims 1 and 25, however, may not specifically disclose the message broker is configured to communicate in a services control layer. Lerner teaches a message broker (e.g., message broker 390) is configured to communicate in a services control layer (e.g., interface layer 120, controlling services layer 130; see FIG. 1 and paragraphs 0026-0032) within the plurality of communications networks and is configured to relay or screen the one or more messages through the services control layer (e.g., interface layer 120) between the plurality of system entities located in at least one service layer (e.g., services layer 130) of the at least one communications network (e.g., see FIG. 1 and paragraphs 0026-0032). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 16 and 40, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 15 and 39. Further, Lerner teaches the message broker (e.g., message broker 390) is further configured to exchange the one or more messages with at least one integrated service controller (e.g., interface adapter which facilitates application integration, see paragraphs 0029) in the service control layer (e.g., interface layer 120, controlling services layer 130; see FIG. 1 and paragraphs 0026-0032) of the at least one communication network. As discussed above, the teachings of Lerner provide accessing a

plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 19 and 43, Coward in view of Tummala teaches the system and method discussed above regarding claims 1 and 25, however, may not specifically disclose operating in at least one of a services layer and a service control layer. Lerner teaches a message broker (e.g., message broker 390) is configured to operate in at least one of a services layer (e.g., services layer 130) and a service control layer (e.g., interface layer 120, controlling services layer 130; see FIG. 1 and paragraphs 0026-0032) (e.g., see paragraphs 0026-0036 and 0041-0046). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 20 and 44, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 19 and 43. Further, Lerner teaches the message broker (e.g., message broker 390) is further configured to provide message translation for the one or more messages communicated between the plurality of communications domains

(e.g., see paragraph 0027 regarding protocol translation of the messages). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 21 and 45, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 19 and 43. Further, Lerner teaches the message translation (e.g., see paragraph 0027 regarding protocol translation of the messages) includes messages translation schemes which are modular and configurable from a provisioning management system (e.g., see paragraph 0027 regarding interface layer 120 comprising the protocol translation between the application layer 110 hosted by a third party provider and services layer 130 comprising shared applications). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 22 and 46, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 19 and 43. Further, Lerner teaches the

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message broker (e.g., message broker 390) is further configured to provide for authentication and authorization for the one or more messages exchanged between the plurality of domains (e.g., see paragraph 0003 regarding authentication/authorization server, and see paragraph 0027 regarding authentication process and registration process). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 23 and 47, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 19 and 43. Further, Lerner teaches the message broker (e.g., message broker 390) is further configured to provide message tunneling (e.g., see paragraph 0026 regarding protocol, formatting and other necessary transformations for messaging) for the one or more messages exchanged between the plurality of communications domains. As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

Regarding claims 24 and 48, Coward in view of Tummala in view of Lerner teach the system and method discussed above regarding claims 19 and 43. Further, Lerner teaches the message broker (e.g., message broker 390) is further configured to provide non-repudiation of message relay and screening in order to provide proof of message exchange transaction (e.g., see paragraph 0026 regarding returning any required results back to the calling application at the application layer 110 after performing necessary transformations). As discussed above, the teachings of Lerner provide accessing a plurality of remote applications with increased efficiency and reduced user response requirements (e.g., see paragraphs 0013-0018). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Lerner to the message broker system and method of Coward in view of Tummala in order to provide a user with access to a plurality of remote applications with increased efficiency and reduced user response requirements.

9. Claims 17, 18, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coward in view of Tummala, further in view of U.S. Patent No. 6,671,724 to Pandya et al.

Regarding claims 17 and 41, Coward in view of Tummala teaches the system and method discussed above regarding claims 1 and 25, however, may not specifically disclose the message broker is configured to operate in a transport control layer. Pandya also teaches a system and method for a message broker, and further, specifically teaches that the message broker (e.g., message broker module 140, see FIG. 9) is configured to operate in a transport control layer within a plurality of communications networks (e.g., see col. 10, line 66 – col. 11, line 15) and is configured to relay or screen the one of more messages through the transport control layer

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between at least one of the plurality of system entities located in at least one transport layer of the at least one communications network (e.g., see col. 10, line 66 – col. 14, line 44). The teachings of Pandya provide a message broker system and method with improved bandwidth management (e.g., see col. 1, line 10 – col. 3, line 25 and col. 4, lines 22-46). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Pandya to the message broker system and method of Coward in view of Tummala in order to provide a message broker system and method with improved bandwidth management.

Regarding claims 18 and 42, Coward in view of Tummala teach the system and method as discussed above regarding claims 17 and 41. Further, Pandya teaches a message broker (e.g., message broker module 140) is further configured to exchange one or more messages with at least one transport controller (e.g., traffic control module 132, see FIG. 9 and col. 10, line 66 – col. 11, line 15) in the transport control later of the at least one communications network (e.g., see col. 10, line 66 – col. 14, line 44). As discussed above, the teachings of Pandya provide a message broker system and method with improved bandwidth management (e.g., see col. 1, line 10 – col. 3, line 25 and col. 4, lines 22-46). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the message broker teachings of Pandya to the message broker system and method of Coward in view of Tummala in order to provide a message broker system and method with improved bandwidth management.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,442,528 to Notani et al., U.S. Patent No. 6,549,956 to Bass et al., and U.S. Patent Application Publication No. US 2003/0004774 A1 by Greene et al. each disclose inter-message distributions by a message broker across a plurality of communications domains for a plurality of communications networks.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

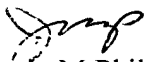
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Philpott whose telephone number is 571.272.3162. The examiner can normally be reached on M-F, 9:00am-5:00pm.

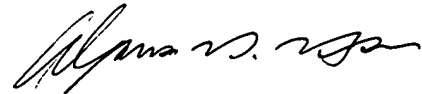
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571.272.3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Justin M Philpott



ALPUS H. HSU
PRIMARY EXAMINER